

8145

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Josephine Amatuucci

v.

Mullen, INDIVIDUALLY, Joseph Laplante, INDIVIDUALLY

Stuart Chase, INDIVIDUALLY, Town of Wolfeboro

Ransmeier & Spellman

Docket 22-cv-547

AMENDED SUPPLEMENTAL BRIEF  
FOR HEARING ON EVIDENCE OF LAW  
FOR JUDGMENT AS A MATTER OF LAW

1. The Plaintiff was arrested and prosecuted for speeding, with no probable cause as it is clearly established that speeding is not a crime in New Hampshire. Therefore her prosecution for speeding was an unlawful Fourth Amendment detention of her liberty rights when she had to attend the court hearings. A violation of the Due Procss Clause, and a violation of the Sixth Amendment.
2. It is to be noted that the Trial held in this case was in vioaltion of the Sixth Amendment Speedy trial clause, a due process clause, as the Plaintiff was arrested on May 7, 2014 and a trial was held on June 25, 2015, approximately one year and two weeks, way beyond the speedy trial deadline especially for the elderly 80 years old, which is the deadline to hold a trial which is 70 days. Therefore the Conviction for disobeying a police officer is VOID OF NO LEGAL FORCE. And this

Court must reverse the conviction.

3. Based on the violations of her Federal Constitutional Rights, defendant Stuart Chase committed criminal Acts towards the Plaintiff.

4. When he had a duty to protect her, and a ..... "Failure to Protect and Interfere " , with her unlawful Constitutional Rights, Chase committed a FELONY under the law, and he must be PROSECUTED by this court.

5. Also for his crimes of of going inside my car without a warrant, for stealing my documents inside my car, for having my car towed, and of course for PROSECUTING me for speeding, where speeding is not a crime in New Hampshire.

6. For a violation of the Sixth Amendment Speedy Trial Clause, especially where the Plaintiff was an.... ELDERLY..... person.

7. Therefore, where this case has been suspended for years and yeras and years, enough is enough, especially where the Plaintiff's evidence is and has been in the record, and files, evidence of fraud on/upon the Court by Judge Laplante and Mullen both of whom at the Hearing for cross summary judgments, both in a Conspiracy fraudulently claimed that there was no evidence in the files, in the record, proving that the Plaintiff was arrested and prosecuted for speeding, when the truth is, in the files all along, was an Affidavit filed in the Court and ....UNDER OATH..... by defendant Stuart Chase, stating and verifying that the Plaintiff was indeed .....ARRESTED and PROSECUTED for SPEEDING.....

8. That therefore, Laplante and Mullen TRESPASSED THE LAW, and in doing so Judge Laplante lost jurisdiction in the case, and where the Judge violated my Constitutional rights, he is liable.... INDIVIDUALLY....for damages under 1983 besides Mullen and Ransmeier and the Town of Wolfeboro. When Judge Laplaint denied the Plaintiff her Motion for Summary Judgment based on FRAUD, in violation of her Constitutional rights, and by

PERJURY. Where he had no legal right to deny the Plaintiff her claims for an unlawful arrest and prosecution for speeding, when speeding is not a crime in New Hampshire. That Mullen in Conspiracy with Judge Lapante, he is liable, INDIVIDUALLY AND OFFICIALLY. Making Ransmeier & Spelling liable and under Monell, where Mullen was a cause of connection in a Conspiracy with Laplante, a policymaking official, to deny the Plaintiff her Constitutional rights. Of a Fourth and Fourteenth violation of an unlawful seizure, a detention of her liberty rights, and Due Process, and in violation of the Sixth Amendment.

9. And that the Town of Wolfeboro is liable OFFICIALLY for the violations of the Plaintiff's CONSTITUTIONAL rights by Chase and the prosecutor Morgan, both policymaking officials.

10, (when Stuart Chase had a DUTY to protect the Plaintiff;

(when he unlawfully allowed her to be PROSECUTED for both speeding and disobeying, when speeding is not a crime in New Hampshire, and where holding a trial for the disobeying a police officer was in violation of the Sixth Amendment;

(where Chase and the prosecutor both policymaking officials, in violation of her Civil Rights, made the Town of Wolfeboro and the employer of Mullen LIABLE for damages under a Monell claim.

(where there was NO PROBABLE CAUSE to prosecute the Plaintiff for speeding.

(where under FRAUD on/upon the court, defendant Mullen and Judge Laplante Conspired to deny that there was evidence in the record that the Plaintiff was indeed arrested and prosecuted for speeding. when they knew or should have known there was an Affidavit written UNDER OATH by Chase in the record, confirming that the Plaintiff was indeed arrested and prosecuted for both speeding and disobeying a police officer. FELONY.

( Citing a cause and connection of her unlawful civil rights violations by the defendants, in a Monell claim, where under 1983 the Plaintiff has a right to damages.

(And it is to be known that the trial court judge found the Plaintiff NOT GUILTY of speeding. That the judge found that her pursuit by the police was a set up to stop the Plaintiff from reaching the Sheriff's office, when the police knew she was heading to the Sheriff's office to file a Complaint against Chase, who assaulted her in the police station.

11. It is to be noted that a trial for the offenses of speeding and disobeying was held one year and 3 weeks after the Plaintiff was arrested, a violation of the Sixth amendment Speedy Trial Clause, which only allows the police up to 70 days after an arrest to have a trial for the offenses. And where it was one year and 3 weeks before a trial was held. Where the trial was VOID OF NO LEGAL FORCE, where the Conviction for disobeying is Void of no Legal force and must be reversed by this court.

12. Also to be noted that the Court of Appeals stated in a Malicious Prosecution, ..... a favorable termination element makes no sense when "the claim is that a seizure, a detention of one's liberty rights violated the Fourth Amendment".

Also to be noted the Supreme Court of South Carolina ruled in the case of *Exparte Rhodes* 202 Ala. 68, 79 So. 462, 464 (1918) that:

"at Common Law an arrest warrant is mandatory unless the crime is a Felony or Breach of the Peace."

13. See the case of *U.S. v. Calandra*, 414 U.S. 338, 354 (1974) regarding .... 'NO FAVORABLE TERMINATION ELEMENT FOR A FOURTH AMENDMENT".

14. The Plaintiff states that Chase purposely allowed the officers to violate my constitutional rights to prosecute me for speeding, to violate the Speedy Trial Clause, FAILED TO INTERVENE and STOP the Constitutional violation, when he had the opportunity to intervene, but chose NOT TO. For a REFUSAL TO INTERVENE AND PROTECT UNDER 18 U.S.C. 242, for Aiding and Abetting, this Court has the duty to..... PROSECUTE..... Stuart Chase.

15. That therefore in the EGREGIOUS EGREGIOUS ACTS of the defendants, the Plaintiff is asking for \$500,000. dollars for damages for pain and suffering, for the vioaltion of her liberty rights, for an unlawful seizure, for violation of DUE PROCESS OF THE LAW.

16. THAT THE COURT IMMEDIATELY IMMEDIATELY AFTER SO MANY YEARS, ALLOW HER

HER CONSTITUTIONAL RIGHTS UNDER 1983 FOR DAMAGES BY A JURY OF HER PEERS.

Respectfully,

Josephine Amatuucci

July 5, 2023

c. Ransmeier and Town of Wolfeboro

A handwritten signature in cursive script, reading "Josephine Amatuucci". The signature is written in black ink and is positioned below the typed name.

From: JOSEPHINE AMAUCCI  
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